

City of McCall Planning and Zoning Commission Meeting Minutes

Call to Order

Chairman Bailey called the McCall Planning and Zoning Commission Meeting to order at 7:00 PM. Commissioner Don Bailey, Commissioner Bob Youde, Commissioner Phil Feinberg, and Commissioner Jeff Schoedler were present.

City staff members present were Roger Millar, Community Development Director, and Joanne York, Administrative Assistant.

Review and Approval of Minutes

The May 17, 2005, minutes were approved as submitted, with no corrections.

Old Business

CUP-05-2. Sandmeyer Construction.

Philip & Ronda Sandmeyer: A Conditional Use Permit application, pursuant to MCC 3-8-030, to allow a duplex at 1414 Boydston Loop. This application has been continued to July 12, 2005. The Commission required a wetland study and the applicant should have time to have this ready by the July meeting.

CUP-05-3. Brown Park Docks.

City of McCall: A request for a conditional use permit to allow the construction of docks at Brown Park (formerly Mill Park), pursuant to MCC 3-15-040(B)5. The docks will support the 'fish pens' and will contain slips for the temporary mooring of up to 13 boats for recreational use. A PUBLIC HEARING.

Roger Millar, Community Development Director - This is a continuance of a hearing held on April 5 and May 3, 2005. The project is located in the Central Business District, and it is bordered by properties identified as CBD and medium density residential. A conditional use permit is required.

No additional agency reviews have been received since the last staff report. No additional public comment has been received since the last staff report. The applicant is here to present an overview of negotiations with adjacent property owners. The

applicant, at the Commission's request, did revise the application. Members of the Commission received copies of that revised application. Staff recommends that the Commission recommend approval of the CUP to the City Council. Today, after discussions with the applicant and some of the adjacent property owners, staff added an additional finding and an additional conclusion to the draft findings and conclusions: Finding 8) The City of McCall has been in negotiations with owners of property adjacent to the park, regarding specific location of the dock, and a tentative agreement has been reached in those negotiations. Staff recommends approval, subject to conditions:

Condition A) Prior to the City staff placing the application on the City Council agenda, the applicant – in this case, the City - shall conclude negotiations with the adjacent property owners and submit the agreement resulting from those negotiations to the City Council for approval along with the application.

Condition B) If the agreement with the adjacent property owners cannot be reached by July 1, City shall place the application as recommended for approval - but without Condition A above - on the City Council agenda.

So either way, this will move forward. The applicant is here and staff would be happy to answer any questions you might have.

Brock Heasley, Director, Parks & Recreation Department, City of McCall - Again, before you is the revised application for the Conditional Use Permit for fish pen docks located in the park. Right now we are in the process of negotiating with the property owners of the Mill Park subdivision and are close to coming to an agreement.

Commissioner Bailey asked what issue was being negotiated.

Mr. Heasley stated that the negotiations involve moving the location of the fish pens further south within the Park. Dale Allen from Fish & Game is comfortable with the decision we are making.

Mr. Millar. We are real close to an agreement. Staff's recommendation is to move this from the Planning & Zoning Commission. I think Mr. Easley and the neighbors can come to an agreement before we go to Council, but my recommendation is that we set a time limit for agreement. If we agree to disagree, we can go to Council and get through that and go to whatever comes next.

Commissioner Bailey asked that a swimming pool ladder be placed on the docks, referring to requests from several people in the neighborhood. Mr. Heasley agreed.

Commissioner Youde asked if successful negotiations are reached concerning the location of the fish docks, will that minimize the possibility of a lawsuit.

Mr. Millar replied that there is concern that there are other parties that may be affected by the move. There are people that need to be at the table, and Brock has been working to make sure all those people are at the table.

Commissioner Bailey stated this is a continued Public Hearing, and opened the meeting to public comment. Is there anyone who wants to speak in favor of this project at this time?

Gary Edsen, President of the Mill Park Homeowners Association. I haven't been directly involved, but have been given a draft copy of the agreement by Givens Pursley. I'm concerned with Mr. Millar's comments that there might need to be other people at the table. This is the third hearing; is there someone else who has expressed interest who has not been to a hearing?

Commissioner Youde stated that his question was more, that by reaching the agreement with parties that have been in the negotiations so far, there is still an outside chance that other parties, who may have not chosen to testify before this committee for whatever reason, may still choose to testify before City Council.

Mr. Millar stated that people from the Mill Park condominiums, which are located at the south end of the park, have participated at earlier hearings and are aware that it was continued until tonight. My understanding is that negotiations have been primarily with one particular property owner from the Mill Park subdivision. My concern is that the agreement you guys reach to move the pens in front of somebody else will result in somebody else wanting to be at the table as well, and I think we need time for that to happen. I think a tentative agreement has been reached.

Commissioner Youde stated that his concern is that the negotiations to move the pens further south will delay the application process.

Commissioner Youde offered his congratulations to the participants for their participation, and agreed that it is time to move the process on to the Council.

Chairman Bailey asked if anyone else wanted to speak in favor; there being none, he asked if anyone wanted to speak in opposition.

Deborah Huber, Mill Park resident. Our concern is that we have tried to reach an agreement; we have an agreement on the table here, but as yet have not been able to get anyone to sign the agreement. Before moving this forward, is there sufficient time to look over the revision? We only received it this morning.

Commissioner Bailey asked Ms. Huber to clarify what she was referring to as "revised" and Ms. Huber stated she was talking about the application itself (the staff report), because her attorney had just received it this morning. She and the attorney were under the impression that things were moving forward for this agreement, and they haven't really been finalized.

Ms. Huber was asked if her attorney she was referring to was Mill Park's attorney, and she stated yes, Deborah Nelson, who couldn't be here tonight. She also reiterated that the concern of the homeowners is to get the agreement on the table and get it signed.

Mr. Millar explained that the property owner's attorney received a copy of the staff report today. He did not send a copy of the staff report to the homeowners' attorney, but stated at the last meeting that it would be available. Our attorney and the homeowners' attorney have been in communication, and our attorney shared the staff report with your attorney this morning. What we've got is a draft agreement that is a long ways towards where we need it to be, but the people who need to sign that agreement on behalf of the City of McCall are the Mayor and the Clerk, at the direction of Council. The intent is to send the CUP application and agreement to the Council together and have it approved at that time in order for the City to be signatory to the agreement. Each party's attorney has drafted an agreement and I'm sure we can go with one of them and make sure all the "i's" are dotted and all the "t's" are crossed. There's agreement; we just don't have the form together. We need to allow ourselves 3 weeks to get the form together and then go to Council at that time.

Ms. Huber stated her concern for the location; the homeowners believe it's an unfair burden on them to have it at their end and believe it should be moved it to the southern end of the park.

Commissioner Youde asked if it is possible to achieve an agreement in the next 2 or 3 weeks.

Mr. Millar explained that to follow the public process, the agreement will be brought before the Council and be available for public review.

Chairman Bailey closed the Public Hearing.

Mr. Millar passed out copies of the latest findings and conclusions.

Commissioner Bailey moved that the Commission approve CUP-05-3, as outlined in the staff report of May 31st, with the added condition of placing a swimming pool ladder in the appropriate place. Commissioner Schoedler added the condition that the applicant concludes negotiations with the property owners by July 1. Commissioner Feinberg seconded the motion. All members voted aye. The motion carried.

PUD-05-4. Village at Deer Forest.

Steve Arnold for Michael Goldman: A request for general plan approval for a Planned Unit Development, pursuant to MCC 3-22-100, on a parcel of land located in the SW ¼ of the SW ¼ of Section 10, Township 18 North, Range 3 East of the Boise Meridian, McCall, Valley County, Idaho. A PUBLIC HEARING.

Mr. Millar stated the application had an accompanying Zoning Upon Annexation application which you approved at the last meeting and will be going to Council on June 23. After the May 3rd meeting, we were going to hear this on May 17th, but it was continued per the applicant's request until today. Since that time, I've had conversations with the Public Works Director and the City Engineer, and there is concern about the drainage from Spring Mountain Boulevard. We normally require a fairly conceptual drainage plan, and the applicant is here to address that, particularly the historical drainage of the site. There are 2 options: the first is to pass the drainage on to the next guy on down the line, or the second is to accommodate it on site.

Staff's concern - given the volume of water, the small size of the area, and the rather active proposal in terms of density and the like - we need some more technical work done and a better understanding of what the implications of those drainage alternatives are. Holladay Engineering, the City Engineer, sent the applicant a letter on May 13th. We need more time for this one, at least for me to be comfortable. The applicant may have a different opinion. What I recommend is that we go ahead and have this hearing tonight but continue it until such time that we have a more detailed drainage regime described and reviewed by the City Engineer and the Public Works Director.

Commissioner Feinberg asked what would happen in the instance a situation like this was not caught in time and the application was approved and completed, with drainage problems showing up at a later time. How can we guarantee that those drainage issues will get taken care of?

Mr. Millar responded that those wind up being public costs or the subject of law suits. We require the drainage plan as a checkpoint. Commissioner Bailey said it is not an issue of a drainage plan, but the condition of the property before anything is done to it. The new Code will address this in greater detail.

Chairman Bailey stated that these are both Public Hearings.

Steve Arnold, Stanley Consultants. Mr. Arnold presented packets to Council members, showing housing and the layout of the subdivision. He spent a few minutes explaining the history of the project, and changes that had been made subsequent to the previous presentation, including changing the southern portion of the development, eliminating some townhouse units, developing open space, walking paths. Streets will be public streets (off of Spring Mountain), and an easement will be provided to the vacant parcel so it can someday connect to Spring Mountain Blvd. The owner west of us did not want it but we are providing it. Open space provided is 26% of the project; the pathway is 2,000'. Between the pathway, open space, and picnic tables, we believe we are meeting the qualities of a PUD of this size.

Mr. Arnold stated the applicant is requesting a side yard setback reduction from 7 1/2' to 5', which will help mitigate protecting vegetation and leaving it as natural as possible. Applicant will also replace disturbed areas with shrubbery or trees or grass. We do

understand that the sewer is not available, and we are willing to wait. But when you do have sewer, there's an existing manhole down Spring Mountain Blvd. Because of elevation, our only way to sewer this project is by using a lift station, as stated in the Holladay Engineering's comments, we will design that to the City standards, although it will be owned and operated by the Homeowner's Association. We're proposing an approximate lift location and we will put a pressure main down the side of the road out to a manhole out near Bitterroot Drive. Water will be provided to the site via existing extensions within Spring Mountain Blvd. As part of our application, we are submitting a preliminary grading and drainage plan. Within that drainage plan, the roads within the project are proposed to have borrow ditches, storm water run-off will be maintained in those borrow ditches and retained on site. There are two 12"-15" pipes across Spring Mountain Boulevard that drain to the site. On the aerial on the handout, you can see that there is natural drainage through here and there is an area where the vegetation is different on this side. We are assuming the historical runoff that comes down this gully will pond off in this general area during events; it's not a year-round stream. It ponds and then comes underneath the roadway and conveyed across our project.

Commissioner Bailey pointed out that the water also ponds in the Aspen trees.

Mr. Arnold explained that there will be an area in the common area with a seepage bed to retain the nuisance water which will be sized accordingly. Water that flows across the site today would be piped to the downstream side of the property. When the seepage bed fills up, the event water will go into a lower area and we will be able to meter it out at the pre-development rate. That's our tentative plan. We can't negatively impact any upstream or downstream users. We'll come up with a specific design plan. Our general plan, which is what I'm telling you, is to retain what has been historically retained on the site and meter out what is coming across by the property to the west, and use a series of seepage beds so that we don't have a problem with nuisance water. He said he had verbal confirmation from Shawn with Holladay Engineering, that it would be adequate.

Commissioner Youde asked about location of seepage beds.

Mr. Arnold said that they will create a depression in the area he pointed out on the map, depending on how much we want to store and seepage goes in the bottom of the depression. They could also use oversize borrow ditches for volume of event water for extra storage and also meter it out.

Commissioner Schoedler asked if it was the applicant's intent to build the homes. Mr. Arnold stated that yes, the client is the developer and the builder.

Commissioner Bailey requested the Council be given copies of the same drawing being used in the presentation.

Commissioner Bailey stated concerning the proposed easement to the western property, that it had been moved to the south, which is good, and gets it away from the curve to some degree. That "S" curve gets icy in the winter.

Mr. Millar stated he had discussed with the applicant the idea of the easement to the west, depending on the other adjacent property. A 60' easement within a 120' band on the property line would give it the flexibility to put the easement to the property to the north 60', to the property to the south 60', or split it on the property line with 30' either way and run the road down the middle.

Commissioner Schoedler questioned about the seepage pit and how to get the water to there, past the townhouse and past the road.

Mr. Arnold said by borrow ditch or most likely, pipe it directly.

Commissioner Schoedler also discussed the elevation of the seepage pit and that it could be quite deep.

Mr. Arnold replied it could be between 2' and 4' below the surface.

Mr. Millar stated the concern that the whole area functions as a seepage pit. We need to have the volume of water and development concept before we can accept the preliminary.

Mr. Arnold said the final design goes into more detail but has to conform to the preliminary plat. We want to move forward to where the Commission is comfortable with the general concept of the plan and then we'll move forward with detailed design.

Commissioner Bailey stated he is opposed to that. You need to be aware of the amount of water that is possible.

Commissioner Schoedler asked if they are planning to build the homes and sell the units.

Mr. Goldman responded his desire is to create homes for some locals and keep the money down with our own crews. I don't see costs changing a great deal.

Commissioner Bailey questioned about Holladay's letter, the 10' vs. 12' easement – is that on the drawing.

Mr. Goldman explained he had mistakenly put 10' instead of 12' and will comply with all the City Engineer's comments. Fire hydrants will be located per fire standards.

Commissioner Youde asked Mr. Millar if the question of the setbacks had been settled. Mr. Millar replied there is no problem there.

Commissioner Bailey questioned Mr. Arnold about roof type and color, and stated that the roof slope appears to be a low slope. The roof type is composition; Mr. Arnold did not have a color sample with him.

Commissioner Youde asked if the homeowner association will be responsible for the cost of the lift station. Mr. Millar replied that the homeowners will be responsible for the cost and maintenance.

Chairman Bailey stated this is a Public Hearing and asked if anyone wanted to speak in favor. There being no response, he asked if anyone wanted to speak in opposition. There being no response, he closed the Public Hearing.

Mr. Millar stated the issues raised by Holladay are fine, and recommended a motion based on the condition that concerns about the drainage are met so that major redesign will not be required.

Commissioner Youde asked about the existing way water and snow usually flow and the impact.

Mr. Millar replied that in response to whether the water flows through the site or to the site, the applicant has stated different proposals to deal with this. The engineer has said they can design it.

Commissioner Bailey asked if a checkpoint is they would have to come back with a redesigned plat.

Mr. Millar responded that the final plat is a checkpoint. We can develop conditions and review them with the Chairman and the applicant.

Commissioners Schoedler and Feinberg asked about berms along Spring Mountain Blvd; applicant responded they decided not to do berms.

It doesn't make any sense to have a park next to a road, plus if a car came around the corner out of control, that would be the first place a car would end up.

Commissioner Schoedler agreed, including the location of a seepage pit by the park.

Applicant asked if they would rather not have a pocket park there.

Commissioner Feinberg commented that they were putting a park in the least desirable location.

Commissioner Schoedler said he would like to see the park as an amenity, but it won't be an amenity. It will just be a pile of rocks.

Applicant stated that if the commissioners think this is a dangerous spot, they could put a small cyclone fence along there. It's a wasted area for us to not use that.

Commissioner Bailey asked that they think of some sort of automotive barrier, like a pole fence or something that would give this an added amount of protection.

The applicant stated this could be addressed in the final plat.

It was stated that the purpose of a PUD is to trade off something for amenities. The applicant said he could use large rocks for a barrier.

Commissioner Bailey asked that between now and July 12, that Mr. Millar be in consultation with the engineer and write up some findings and conclusions for Commission approval.

Mr. Millar said we are having a meeting on June 28 and we should have it ready then.

Commissioner Bailey said that the conditions should address the easement. Let's define and keep the centerline out of the steep area.

Mr. Millar agreed to look at topography.

Commissioner Bailey said the City may have to get involved with it.

Commissioner Schoedler stated he would like to see detailed drainage plans including seepage pits.

Chairman Bailey stated the Committee will accept it with conditions; what Commissioner Schoedler would like to see is a preliminary design at that time.

Mr. Millar stated the Committee can close the hearing and defer it to the next meeting, and Chairman Bailey agreed. Mr. Millar suggested either June 28 or July 12 for a continuance. The Chair continued the item to June 28.

VAR-05-1. Broken Ridge Subdivision, Phase 3.

Ray Alford: A request for a variance of the street frontage requirement and the maximum lot depth requirement for the B Medium Density Residential Zone District for a subdivision on a parcel of land located in the NE ¼ of the NE 1/ of Section 18, Township 18 North, Range 3 East of the Boise Meridian, McCall, Valley County, Idaho. A PUBLIC HEARING.

Mr. Millar described this as a 21 lot subdivision and the variance provided for additional lots and deeper lots for use as a buffer zone and to protect a pine tree in the roadway. The staff recommends denial of the Variance due to the fact that it does not meet the requirements of a variance.

Ray Alford, owner and applicant. I and Roger probably disagree on the interpretation of the City Ordinance concerning a variance. I am not requesting a variance due to a hardship; I am asking for relief from an ill-described code. He further explained the

reasons for his request for a variance, including the need for cul-de-sacs, and the location of his cul-de-sac by a 6 ½ acre public park.

Commissioner Bailey asked if the Council had received a report on this from the City Engineer. Mr. Millar replied they had not.

Mr. Alford presented a copy of an email from Holladay Engineering that had been sent to his engineer.

Upon reading the email, Mr. Millar explained that a variance is provided as an option when there is no other option and as a last resort. As stated in the email, the engineer from Holladay gave another option.

Commissioner Bailey asked Mr. Millar to explain precisely why a variance would be needed.

Mr. Millar stated that in this case, all of the lots are non-conforming; the lot layout is fundamentally flawed.

Further discussion followed concerning Code requirements.

Mr. Alford read a prepared, written statement, detailing the reasons for his variance request.

When asked by Commissioner Schoedler why he did not request a PUD, Mr. Alford replied he did not think a PUD was required.

Commissioner Schoedler stated that a variance is a very difficult thing to get in McCall. A PUD does require a dedication of open space, but Mr. Alford already mentioned putting in the park.

Commissioner Youde asked Mr. Millar if a resolution would require a re-subbing on that particular issue. Mr. Millar replied that if P&Z denies a variance, there were other ways to meet Mr. Alford's desires. All of the lots except for one do not conform to the requirement for B Zone. But it's not just the lots that Mr. Alford has asked for the variance for. The 60' frontage is in the multi-family discussion of the B Zone. If Mr. Alford wants to do duplexes, none of that has been proposed here. The notion of a duplex subdivision does not exist in our Code. A duplex is allowed on a platted lot with a conditional use permit. There are no platted lots here; there is no conditional use permit here.

A discussion followed, explaining to the applicant what his options would be if the Commission denies the variance: he could have a fewer, larger conforming lots or could reconfigure street and park or resubmit the plat as a condo plat. If the application is denied, he would be unable to do anything in that area until after the moratorium is

over. After that time, he can apply for whatever. I don't know if Mr. Alford's land is appropriate to be up-zoned or if there will be any up-zoning.

Commissioner Youde agreed with Commissioner Schoedler that a variance is a last ditch process.

Mr. Millar stated that the circumstances requiring the variance resulted from the applicant choosing to divide the land in this particular way, apply for these particular applications, and to come before you with this particular proposal.

Commissioner Bailey asked about total property size, if it was 11 acres, give or take a little, less the 3 acres for the city park, so roughly 8 acres. Mr. Alford stated he believed that was correct. Commissioner Bailey further asked that in Zone B, could you put up to 64 units.

There was further discussion concerning B zoning. Mr. Millar stated that the concern is that there would be non-conforming single family lots in the B zone.

Commissioner Bailey asked for clarification of the use for Lot 34; Mr. Alford replied that it is a retention basin for sediment.

Chairman Bailey stated this is a Public Hearing.

Mr. Alford questioned that, in their application which was submitted and approved by the City, the 2nd paragraph specifies zoning class called B Zone Medium Density Residential. He stated that he always asked for higher density based on what the Commission told them and with which he was in agreement. He had stated in his letter at that time that he would subdivide the last portion as Broken Ridge Phase 3, as a duplex lot subdivision of 21 lots. If this was all incorrect, why wasn't this application thrown out at that time or sent back to us for corrections?

Commissioner Bailey stated there was discussion. My note on that issue was that roughly about 8 acres were ok to consider as higher density. At that time, we had no idea when that would come before us, we didn't know what the status of the new Code would be, which would permit 12 units per acre, or it could have been rezoned to Commercial and get up to 16 units per acre, etc. I do recall discussing that issue. Mr. Alford agreed that no commitments were made at that time.

Chairman Bailey asked if anyone wished to speak in favor of the variance request. There being no response, he asked if anyone wished to speak in opposition. There being none, the Public Hearing on the variance was closed.

Chairman Bailey stated that in his opinion, the variance is not warranted because the lines drawn on the paper created the need for the variance and by revising the lines on the paper, the need for the variance goes away. I don't think it's justified. The plat can be redesigned to avoid the need for a variance.

Commissioner Schoedler stated there is no hardship and there are other ways around it. There is no possible way to grant this.

Commissioner Youde said that after reading the Code, there are other ways to meet the Code.

Commissioner Feinberg moved to deny the variance and to move the subdivision issue to another time. Commissioner Bailey seconded the motion. All voted aye and the motion passed.

Subdivision 05-14. Broken Ridge Subdivision, Phase 3.

Ray Alford: A request for preliminary plat approval for 21 single family lots on a parcel of land located in the NE ¼ of the NE ¼ of Section 18, Township 18 North, Range 3 East of the Boise Meridian, McCall, Valley County, Idaho. A PUBLIC HEARING.

Mr. Millar explained that this application depends on the variance, which was just denied. He recommended the Council deny the SUB application because there is no way to approve it as it is, due to the variance denial.

Commissioner Bailey asked if the moratorium precludes re-zoning, to which Mr. Millar replied yes. He discussed other options for approval which could proceed during the moratorium.

Mr. Alford requested that the application be tabled and be brought forth at a later date so that he can find out the interpretation of the Code.

Commissioner Bailey asked him how much time he needed, and informed him that the next meeting available is August 2.

Mr. Alford asked for a continuance to the earliest date available, which is August 2.

Commissioner Feinberg moved that this application be continued to August 2. Commissioner Schoedler seconded the motion. All voted aye, and the motion passed.

Mr. Millar explained that if they were able to move this to a special meeting, we would have to re-notice it and re-post it, which would be difficult but achievable.

Chairman Bailey stated he didn't think we would have time for any other special meetings.

Mr. Millar replied that August is the nearest and the most reasonable possibility.

SUB-05-15. Pine Meadows Condominiums No. 2.

Mr. Millar asked that this application be continued to July 12 per the applicant's request.

**Commissioner Youde moved that the application be continued to July 12.
Commissioner Bailey seconded the motion. All voted aye and the motion passed.**

SUB-05-1. Whitetail Planned Unit Development, Phase 1.

Steve Millemann for Whitetail, A Club for All Seasons LLC and Summit Resources, Ltd. A request for final plat approval for 101 single family lots 782.84 acres. Approximately 772.69 acres of the project are located between the Adams/Valley County Line and the Whitetail Golf Course, immediately south of the Kings Pines Estates #1, Forest Trails, and Ski Ranch Subdivisions. Approximately 10.15 additional acres are located at the northeast corner of Warren Wagon Road and SH 55. NOT A PUBLIC HEARING.

And,

PUD-05-1. Whitetail Planned Unit Development, Phase 1.

Steve Millemann for Whitetail, A Club for All Seasons LLC and Summit Resources, Ltd.: A request for final plan approval for a Planned Unit Development containing 101 single family lots 782.84 acres. Approximately 772.69 acres of the project are located between the Adams/Valley County line and the Whitetail Golf Course, immediately south of the Kings Pines Estates #1, Forest Trails, and Ski Ranch Subdivisions. Approximately 10.15 additional acres are located at the northeast corner of Warren Wagon Road and SH 55. NOT A PUBLIC HEARING.

Mr. Millar explained that the conditions listed for both are listed in the staff report. Per the letter of May 12th, there was a meeting with the City's team and the applicant's team, during which many issues were resolved. The letters dated May 26 and 27 resolve other issues.

The staff recommends approval of the application with conditions; the applicant is amenable to that requirement and has agreed. This will not be placed on the City Council's agenda until those conditions are met.

Issues involved are either resolved or being resolved. One issue is requiring Holladay to sign the final plat before going to Council.

At this time Commissioners Schoedler and Feinberg secluded themselves.

Commissioner Bailey stated that in discussions with Steve Millemann about the status of the job, focus has been on Gun Hill and Paul Bunyan; improvements will be made. Whitetail property starts after Paul Bunyan.

Commissioner Bailey said the only significant comment he has is the connectivity issue. What we would like to see is some sort of note on the final plat to show how you would do it today, so that at some point in the future, there will be a record of it.

Conditions are on the plat; some sort of note will be made on the final plat describing location. Steve Millemann responded that he could do that.

Commissioner Bailey moved that the application for SUB-05-1 be approved. Commissioner Youde seconded the motion. All voted aye; the motion passed.

Commissioner Bailey moved that the application for PUD-05-1 be approved. Commissioner Youde seconded the motion. All voted aye; the motion passed.

Commissioners Schoedler and Feinberg rejoined the committee.

SR-05-8. 501 North Third Street.

TRW Architects for Trinity Home Mortgage: A request for scenic route site plan approval for a 2,249 square foot office building, a 1,551 square foot restaurant and associated site improvements at the northeast corner of Colorado Street and North Third Street (Hwy. 55). A PUBLIC HEARING.

This application was received over a year ago. This property is in the Central Business District on the Comprehensive Plan. Staff has the following recommended conditions of approval:

- 1) dedicate 5' easement (70' ROW)
- 2) 10' wide sidewalk on Third
- 3) curb gutter and 8' sidewalk on Colorado
- 4) catch basin at corner of 3rd and Colorado
- 5) power poles
- 6) submit drawings for drainage, water and sewer

Mr. Williams stated they need to estimate the curb height and sidewalk height, and put the building higher.

Mr. Millar said they will have to work with the Idaho Transportation Department (ITD).

Mr. Williams agreed to do the sidewalks according to ITD requirements.

Mr. Millar discussed the requirements for sidewalks on the corner of Colorado and Hwy 55.

Commissioner Feinberg pointed out that the applicant needs to do as much landscaping as possible to provide buffer areas.

The applicant stated that they will have elevation issues to deal with.

Mr. Millar stated that one issue is for the applicant to come back with a water/sewer drainage plan.

The applicant then presented samples for roof and stone work. Cedar siding will be stained a color to compliment the stucco.

The applicant asked if there could be any consideration for a 6' sidewalk instead of the 8' sidewalk, which at this time, doesn't lead anywhere beyond their property. The Council responded that there will be a need for the sidewalk beyond this property in the future.

Mr. Millar said they are actively working with ITD on improvements on the roadway through there.

Applicant stated the client is willing to work with ITD. Commissioner Youde said he does not want to see this application hung up for a year.

There was further discussion concerning the requirements of ITD's ROW, which includes 10' sidewalk, 7' parking, 5' bike paths, and 12' travel lanes.

Mr. Millar emphasized that the design for Third Street must be ready by the end of the summer. There will be a design charette in July, including the McCall Improvement Committee, the City and the Urban Renewal Committee. For the grant we're doing, we have to have the design by Labor Day. ITD has been asked to participate.

Commissioner Youde reiterated that he does not want this application delayed.

Chairman Bailey asked if anyone wished to speak in favor of this application. There being no response, he asked if anyone wished to speak in opposition. Again, there was no response and Chairman Bailey closed the Public Hearing.

Chairman Bailey affirmed with the applicant that the applicant does understand the issues concerning the sidewalk.

Commissioner Bailey moved that the application be approved with the conditions as written in the staff report of June 1. Commissioner Schoedler seconded the motion. All voted aye, and the motion passed.

At this time, Commissioner Youde was excused from the meeting.

ROS-05-10. 1311 and 1313 Ponderosa Avenue.

Jackie and Jean-Claude Aymon: A request to combine two lots. NOT A PUBLIC HEARING.

The application is valid and the combined lots would be conforming. The staff recommends approval.

Commissioner Bailey stated that these 2 lots straddle a hill, so it's difficult to use them for anything else.

Commissioner Bailey moved that this application be approved. Commission Schoedler seconded the motion. All voted aye, and the motion passed.

ROS-05-11. Lots 9 and 10, Block 5 of Hoff and Brown's First Addition.

Michael and Jacqueline Swan: A request to split one lot into two lots. NOT A PUBLIC HEARING.

Mr. Millar explained that these 2 lots had been combined in the past.

Commissioner Bailey added that there are improvements on the larger lot already.

Commissioner Bailey moved that this application be accepted. Commissioner Schoedler seconded the motion. All voted aye, and the motion passed.

ROS-05-12. 1604 Davis Street.

Crystal Blue LLC: A request to combine six lots into one. NOT A PUBLIC HEARING.

The applicant is eligible for a Record of Survey, and the lot conforms. This is an apartment project with a loop road.

Commissioner Schoedler moved to approve the application. Commissioner Bailey seconded the motion. All voted aye, and the motion passed.

Commissioner Bailey asked Mr. Millar if he has a drawing of what they are proposing; Mr. Millar stated that yes, he did.

As there was no further discussion, Chairman Bailey adjourned the meeting at 9:50 PM.

Don Bailey
Planning and Zoning Commission Chairman

ATTEST:

Joanne E. York
Administrative Assistant